

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, LAHONTAN REGION

REPORTING SEWAGE RELEASES

State Law (California Water Code §13271, *et seq.*) requires that a discharge of sewage into or onto State waters must be reported to the Governor's Office of Emergency Services. OES shall immediately notify the appropriate Regional Water Quality Control Board (RWQCB) and the local health officer and administrator of environmental health. The local health officer and administrator of environmental health are responsible for determining whether or not the public should be notified of the discharge.

To Report Sewage Releases:

Verbally notify the Governor's Office of Emergency Services Warning Center at
(916) 845-8911 or (800) 852-7550.

Why is it important to report releases?

Proper and timely notification is imperative to allow government agencies and downstream users to take prompt action to protect public health and safety, the environment and state drinking water supplies.

Penalties for Non-Reporting

Any person who fails to provide the proper notifications is guilty of a misdemeanor and may be punished by a fine of not more than \$20,000 dollars or imprisonment for not more than one year, or both. (California Water Code, Section 13721(c))

When is reporting necessary?

Any sewage discharges in excess of the 1,000 gallon "reportable quantity" (California Code of Regulations, Title 23, Section (a)) must be reported. A discharge of less than 1,000 gallons must also be reported if the discharge is (or will be):

- To waters of the state (waters of the state include all waters within the boundaries of the state, whether public or private, whether in natural or artificial channel and whether surface or subsurface),
- To the ground within five feet of ground water or within 500 feet of a surface water, water well, or domestic water supply source,
- Causing a pollution or threatened pollution¹
- Causing a nuisance²,
- A potential threat to public health.

Additional information:

For further details regarding reporting requirements for sewage spills and other unauthorized waste discharges, see the document "Reporting Unauthorized Waste Discharges" on the Regional Water Quality Control Board's website at <http://www.swrcb.ca.gov/~rwqcb6/files/SpillNot.pdf>.

Reporting requirements for *hazardous materials* can be located on the Office of Emergency Services (OES) website at <http://www.oes.ca.gov> (under "Hazardous Materials," *California Hazardous Material Spill/Release Notification Guidance*). The OES Hazardous Materials Unit staff is available for questions at (916) 845-8741.

Endnotes

- ¹ "Pollution" means an alteration of the quality of the waters of the State to a degree which unreasonably affects (1) such waters for beneficial uses, or (2) facilities which serve such beneficial uses. "Pollution" may include "contamination." [California Water Code §13050(l)]
- ² "Nuisance" means anything which:
 - (1) Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property,
 - (2) Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal, and
 - (3) Occurs during or as a result of the treatment or disposal of wastes.